

IC 20-8.1

ARTICLE 8.1. ELEMENTARY AND SECONDARY SCHOOL PUPILS

IC 20-8.1-1

Chapter 1. Definitions

IC 20-8.1-1-1

"School corporation"

Sec. 1. As used in this article, the term "school corporation" means any public school corporation established by and under the laws of the state of Indiana. The term includes, but is not necessarily limited to, any school city, school town, school township, consolidated school corporation, metropolitan school district, township school corporation, county school corporation, united school corporation or any community school corporation. For purposes of IC 20-8.1-9, the term includes a charter school.

(Formerly: Acts 1973, P.L.218, SEC.1.) As amended by P.L.276-2003, SEC.17.

IC 20-8.1-1-2

"Governing body"

Sec. 2. As used in this article, the term "governing body" means any township trustee and the township board of a school township, any board of school commissioners, any metropolitan board of education, any board of trustees or any other board or commission charged by law with the responsibility of administering the affairs of a school corporation. For purposes of IC 20-8.1-9, the term includes the organizer of a charter school.

(Formerly: Acts 1973, P.L.218, SEC.1.) As amended by P.L.8-1987, SEC.50; P.L.276-2003, SEC.18.

IC 20-8.1-1-3

"Parent"

Sec. 3. Definition, "Parent". As used in this article, the term "parent" means the natural, or in the case of adoption, the adopting father or mother of a child; or where custody of the child has been awarded in a court proceeding to someone other than the mother or father, the court-appointed guardian or custodian of the child; or where the parents of a child are divorced, the term "parent" means the parent to whom the divorce decree or modification awards custody or control with respect to a right or obligation under this article.

(Formerly: Acts 1973, P.L.218, SEC.1.) As amended by Acts 1976, P.L.101, SEC.1; Acts 1980, P.L.146, SEC.1.

IC 20-8.1-1-3.5

"Student"

Sec. 3.5. Student. As used in this article, the term "student" means any person enrolled in a public school corporation.

As added by Acts 1980, P.L.146, SEC.2.

IC 20-8.1-1-4

"Superintendent"

Sec. 4. Definition, "Superintendent". As used in this article, the term "superintendent" means the chief administrative officer of a school corporation generally referred to as the superintendent of schools, except that, in the case of a township school, the term refers to the county superintendent of schools.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-1-5

"Principal"

Sec. 5. Definition, "Principal". As used in this article, the term "principal" refers to the chief administrative officer of a particular school.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-1-6

"Member of the administrative staff"

Sec. 6. As used in this article, the term "member of the administrative staff" or comparable language means a school corporation employee who:

- (1) is certificated under the statutes relating to the licensing of teachers; and
- (2) has supervisory authority.

(Formerly: Acts 1973, P.L.218, SEC.1.) As amended by Acts 1980, P.L.146, SEC.3; P.L.131-1995, SEC.4.

IC 20-8.1-1-7

"Other school personnel"

Sec. 7. "Other School Personnel". As used in this article, the term "other school personnel" means all school corporation employees and functionaries except teachers. The term includes, but is not limited to, student teachers, teacher's aides and bus drivers.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-1-7.1

"Legal settlement"

Sec. 7.1. As used in this article, the term "legal settlement" of a student means the student's status with respect to the school corporation which has the responsibility to permit the student to attend its local public schools without the payment of tuition, or to pay transfer tuition under IC 20-8.1-6.1 if the student attends school in a local public school of some other school corporation.

As added by Acts 1976, P.L.101, SEC.2. Amended by P.L.36-1994, SEC.27.

IC 20-8.1-1-7.2

"Transfer," "transferor corporation," "transferee corporation,"

and "transferred student"

Sec. 7.2. Definitions: "Transfer," "Transferor Corporation," "Transferee Corporation," and "Transferred Student". As used in this article, the term "transfer" with respect to a student refers to the situation in which the student, for all or part of his education, attends school in a public school of a school corporation other than the school corporation in which the student has legal settlement; "transferor corporation" and "transferee corporation" refer, respectively, in these transfer situations to the school corporation of the student's legal settlement and the school corporation where the student attends school; "transferred student" means any student attending school in a school corporation in which the student does not have legal settlement.

The student is considered "attending school" in a school corporation when:

- (1) the student is confined by a disability to a place outside the school corporation's facilities and receives instruction from school corporation personnel;
- (2) the student attends a special or vocational education school in which the school corporation of the student's legal settlement provides cooperatively a portion of the cost; or
- (3) the student is in another similar situation.

As added by Acts 1976, P.L.101, SEC.3. Amended by P.L.23-1993, SEC.105.

IC 20-8.1-1-8

"School purposes"

Sec. 8. As used in this article, the term "school purposes" refers to the purposes for which a school corporation operates, including the following:

- (1) To promote knowledge and learning generally.
- (2) To maintain an orderly and effective educational system.
- (3) To take any action under the authority granted to school corporations and their governing bodies by IC 20-5-2 or by any other statute.

(Formerly: Acts 1973, P.L.218, SEC.1.) As amended by Acts 1980, P.L.146, SEC.4; P.L.131-1995, SEC.5.

IC 20-8.1-1-9

"Educational function"

Sec. 9. Definition, "Educational Function". As used in this article, the term "educational function" means the performance by a school corporation, or its officers or employees, of an act or a series of acts in carrying out school purposes.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-1-10

"Expulsion"

Sec. 10. (a) As used in this article, the term "expulsion" means a disciplinary or other action whereby a student:

- (1) is separated from school attendance for a period in excess of ten (10) school days;
 - (2) is separated from school attendance for the balance of the current semester or current year unless a student is permitted to complete required examinations in order to receive credit for courses taken in the current semester or current year; or
 - (3) is separated from school attendance for the period prescribed under IC 20-8.1-5.1-10, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound educational program.
- (b) The term does not include situations when a student is:
- (1) disciplined under IC 20-8.1-5.1-18;
 - (2) removed from school in accordance with IC 20-8.1-7-8; or
 - (3) removed from school for failure to comply with the immunization requirements of IC 20-8.1-7-10.1.

*(Formerly: Acts 1973, P.L.218, SEC.1; Acts 1973, P.L.223, SEC.6.)
As amended by Acts 1980, P.L.146, SEC.5; P.L.190-1993, SEC.1;
P.L.131-1995, SEC.6; P.L.61-1995, SEC.2.*

IC 20-8.1-1-11

"Suspension"

Sec. 11. (a) As used in this article, the term "suspension" means any disciplinary action that does not constitute an expulsion under section 10 of this chapter, whereby a student is separated from school attendance for a period of not more than ten (10) school days.

- (b) The term does not include situations in which a student is:
- (1) disciplined under IC 20-8.1-5.1-18;
 - (2) removed from school in accordance with IC 20-8.1-7-8; or
 - (3) removed from school for failure to comply with the immunization requirements of IC 20-8.1-7-10.1.

*(Formerly: Acts 1973, P.L.218, SEC.1; Acts 1973, P.L.223, SEC.5.)
As amended by Acts 1980, P.L.146, SEC.6; Acts 1982, P.L.129,
SEC.1; P.L.190-1993, SEC.2; P.L.131-1995, SEC.7.*

IC 20-8.1-1-12 Repealed

(Repealed by P.L.131-1995, SEC.12.)

IC 20-8.1-1-13

Repealed

(Repealed by P.L.131-1995, SEC.12.)

IC 20-8.1-1-14

"Indiana physician"

Sec. 14. Definition, "Indiana Physician". As used in this article, the term "Indiana physician" means any individual who holds an unlimited license to practice medicine in Indiana.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-1-14.5

"Nonpublic school"

Sec. 14.5. As used in this article, "nonpublic school" has the meaning set forth in IC 20-10.1-1-3.

As added by P.L.55-1998, SEC.1.

IC 20-8.1-1-15

References

Sec. 15. References. A reference to any chapter or section of the Indiana Code refers to that chapter or section, any amendments of it, and any statute or statutes which repeal, supplement, implement or supersede that chapter or section.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-1-16

Gender, number

Sec. 16. Gender, Number. (a) Whenever a masculine gender pronoun is used in this article, it shall refer to the masculine, feminine or neuter, whichever is appropriate.

(b) The singular form of any noun used in this article shall include the plural, and the plural shall include the singular where appropriate.

(Formerly: Acts 1973, P.L.218, SEC.1.)

IC 20-8.1-1-17

"Department"

Sec. 17. As used in this article, "department" refers to the department of education established under IC 20-1-1.1-2.

As added by P.L.390-1987(ss), SEC.10.

IC 20-8.1-1-18

"School property"

Sec. 18. As used in this article, "school property" means the following:

(1) A building or other structure owned or rented by a school corporation.

(2) The grounds adjacent to and owned or rented in common with a building or other structure owned or rented by a school corporation.

As added by P.L.202-1989, SEC.1.